

# UNITED STATES DISTRICT COURT

for the

Western District of Missouri

United States of America

v.

Dustin L. Vittetoe

Case No: 3:07-cr-05062-ODS-8

USM No: 20465-045

Date of Original Judgment: 04/08/2009

Date of Previous Amended Judgment: \_\_\_\_\_

(Use Date of Last Amended Judgment if Any)

Jeremy Gordon (Retained)

Defendant's Attorney

## ORDER REGARDING MOTION FOR SENTENCE REDUCTION PURSUANT TO 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

**IT IS ORDERED** that the motion is:

☒ **DENIED.** ☐ **GRANTED** and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of \_\_\_\_\_ months **is reduced to** \_\_\_\_\_.

(Complete Parts I and II of Page 2 when motion is granted)

The Court denies defendant's motion for modification or reduction of sentence pursuant to 18 USC 3582(c)(2) consistent with the Government's response (Doc. #698).

Except as otherwise provided, all provisions of the judgment dated 04/08/2009 shall remain in effect.

**IT IS SO ORDERED.**

Order Date: 02/24/2016

/s/ Brian C. Wimes

Judge's signature

Effective Date: 11/01/2015

(if different from order date)

BRIAN C. WIMES, United States District Judge

Printed name and title